

E & P. H (1940) Department.

MS

SERIES.

G.O. No.

443 / P.H

13

Dated

23-9-40.

[Despatch Abstract.]

Buildings - Rules - Mangalore Municipality - Haroon
Haji Abdul Satar Sahib - Exemption from rule 8 - Sanctioned.

DEPARTMENT.

Received

Registered

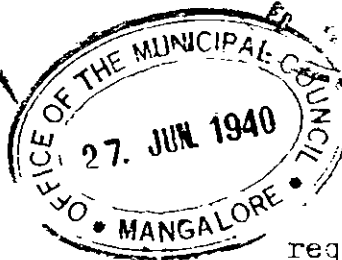
19

7386

25064

Subject.

24 JUL 1940



Rules - Building Rules -- Rule No.8 - Exemption

requested.

E.A.P.H. Dept.

Genl. No. 25064-1-F.P.H. of 26.6.40

Returned for resubmission through the Director, Town Planning, with the relevant plans in duplicate (By order)

S. R. Karim
25/6/40
Under Secretary.

Ref: No. C4/8948/39.

Station Mangalore, Dated the 14th June 1940.

ENCLOSURES.

No.

Spare copies

From (Name) Sri M. Narayana Shenoy, B.A., B.L.,
(Designation) Commissioner, Mangalore Municipality.

To The Secretary to the Government of Madras,
Through Education & Public Health Department.
The Chairman, Municipal Council, Mangalore.
Fort St. George, Madras.

Sir,

I have to bring the following instance to the notice of Government and request that Government may be pleased to waive the 4 feet rule for the reasons stated therein.

License was granted to one Haroon Haji Abdul Satar (Sait) for the reconstruction of a building in T.S. No. 438-2 & 3 of 9th ward. The Sanitary Inspector in charge of the ward reported on 19th May 1939 that the party

was reconstructing

CHED

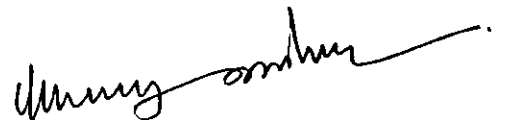
17 JUN 1940

was reconstructing the building otherwise than in accordance with the approved plans and provisions of license and that he had not left the required 4 feet space from the road margin. A notice of demolition was thereupon issued to the party requiring him to demolish the portion of the building reconstructed in violation of the conditions of license and standing within the 4 feet space of the road margin. In reply to this notice the party submitted that the building was 4' 3" removed on the southern side and 3' 3" removed on the northern side from the road, that the drain running between the building and the road belonged to him and that if the width of the drain is taken into consideration the building is far removed from the road and under the circumstances the question of violation of the 4 feet rule did not arise. He also contended that the council had not ~~fixed the street alignment of the road~~ as required under Section 166 (a) of the Act. A report from the Town Surveyor re. the distance of the building from the road margin was then called for and the Town Surveyor submitted that the building is only 3 feet 4 inches removed on the southern side and 2 feet 6 inches removed on the northern side from the road. The party was then intimated of the actual distance left by him and he was required to bring the building into conformity with the provisions of the license, whereupon he preferred an appeal to the Council wherein he reiterated his former contentions and requested the Council to allow the building to stand on his executing a registered bond in favour of the Council agreeing to remove unconditionally the portion of the building standing on the 4 ft space whenever called upon by the Municipality to do so. The Council in its resolution No.46 dated the 3rd July 1939 (copy enclosed) referred the appeal to the Encroachment Committee with Councillor Mr. A Moosabba Saheb for report. The Encroachment Committee

page 7 unfiled

in its resolution No.4, dated the 22nd November 1939 referred the appeal to Mr. Moosabba Saheb. The Councillor in his report dated the 19th January 1940 (copy enclosed) stated that the building under reference is in a line with the other existing buildings and therefore the deficiency of 11 inches on the northern side may be ignored. The Encroachment Committee in its resolution No.3 dated the 8th May 1940 recommended to the council that the recommendation of the councillor be accepted and the recommendation of the Encroachment committee was accepted by the council in its Resolution No.59 dated the 20th May 1940 (copy enclosed)

The building under reference was reconstructed on the existing foundation and is in a line with the other existing buildings at the site. Further still a drain which is about $1\frac{1}{2}$ ft wide runs between the building and the road and the building does not prove a hindrance to traffic. I therefore request that Government may be pleased to condone the deficiency in the four feet rule and allow the building to stand.



Commissioner, M.M.

F o r w a r d e d :

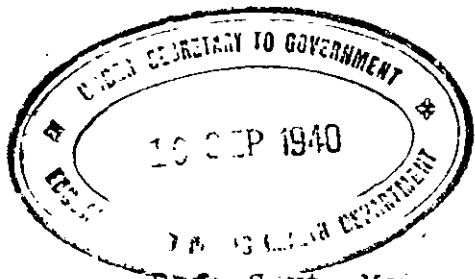
Dated:-


Chairman, M.C.

HDU/15/6-40


15/6/40

P.T.O.



Town Planning Department,
Mount Road, Madras,
9th September, 1940.

Ref: Govt. Memo. No. 33122-1-F. P.H., dated 26-8-40.

page 12 copy
37047

Resubmitted.

The open space left between the building and the edge of street is stated to be 3'-4" on one end and 2'-6" on the other end. The width of the street in front is about 25 ft. (according to the measurement taken from the Town Block Map). According to the new draft rules issued in G.O. No. 1854 P.H., dated 4-5-40, the building may be constructed up to the edge of the street, as it is more than 24 feet in width. There is no objection therefore for granting exemption from the operation of rule 8 of the old rules.

Romlin Linn.

for Ex-Officio Director of
Town Planning, Madras.

ve. 9/9.

To the Secretary to the Government,
Education and Public Health Department, Madras.

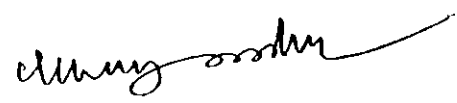
DTP. 2393/40
9-9-40

I inspected the building on 20th December 1939. The Sanitary Inspector Mr. Sheena Shetty was present. The building is 4 ft 2 inches on the southern side and 3 ft 1 inch on the northern side away from the western edge of the drain. The party appears to have built up the western side of the drain long ago. The building has been completed. As the 4 ft rule is observed on the southern side and there is only a deficiency of 11 inches on the northern side and also as the building is in a line with the other existing buildings in the street, this deficiency of 11 inches may be ignored and necessary license granted to the party.

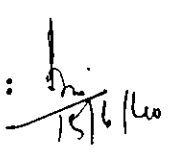
Sd/A.Moosabba,
Municipal Councillor,
19.1.1940.

/ True Copy.-:- /

Municipal Office, I
Mangalore, 14-6-40. I


Commissioner, M.M.

HDU/15/6-40.

Compd: 
15/6/40.

No.

*Extract from the Proceedings of the Mangalore
Municipal Council at its meeting held on 3rd July..... 19 39.*

Resolution No. 46.

Read: Appeal petition dated the 17th June 1939 from Haroon Haji
Abdul Satar ~~Seheb~~ against the orders of the Commissioner requiring
him to demolish the portion of the building constructed within
the 4 ft space from the road margin in T.S.No.438-2&3 of 9th
Ward.

Referred to the Encroachment Committee with Mr.A.
Moosabba Seheb for early report.

X

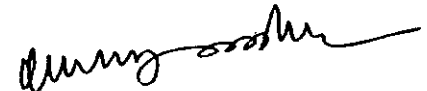
X

X

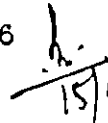
Sd/B.Venkatarao Baliga,
Chairman, M.C.

/True Extract/

Municipal Office, Mangalore, I
Dated the 14th June 1940. I


Commissioner, M.M.

HDU/15/6


15/6/40

No.

*Extract from the Proceedings of the Mangalore
Municipal Council at its meeting held on 20th May 1940.*

Resolution No. 59.

Read: Council Resolution No.46, dated the 3rd July
1939 referring to Encroachment Committee with Mr. A.
Moosabba Saheb appeal petition dated the 17th June 1940
1939 from Haroon Haji Abdul Sathar ^{Sait} ~~Shett~~ against the
orders of the Commissioner requiring him to demolish the
portion of the building constructed within the four feet
space from the road margin in T.S.No. 438-2 & 3 of 9th
Ward and the Encroachment Committee's recommendation
that Mr. A. Moosabba Saheb's report may be accepted.
Encroachment Committee's recommendation is accepted.

X

X

X

(sd) U. Laxman Shenoy,
Presiding Member, M.C.

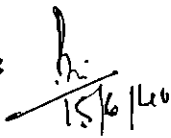
/ True Extract /

Municipal Office, Mangalore, I

Dated the 14th June 1940. I

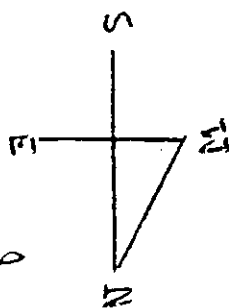

Commissioner, M.M.

HDU/15/6-40.

Compd: 

Site plan of The Godown of J.S. No H38-2 of 9TH Ward

Scale 10 feet = 1 inch



Indicates

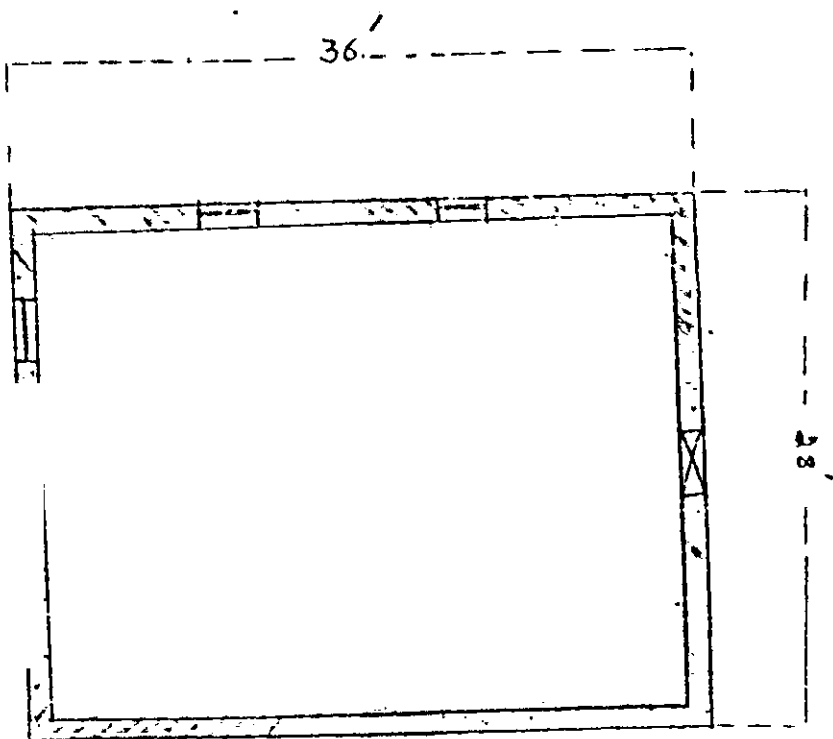
Walls to be demolished and reconstructed on the very foundation

Roofs each 3'x6'

Windows 3'x3'

Old existing wall which is not to be removed

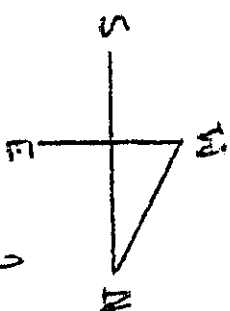
Height of the wall 14 feet



Municipal ROAD

Site plan of The Godown of 3 S No 432 1/2 of 9th ward

Scale 10 feet = 1 inch



doors

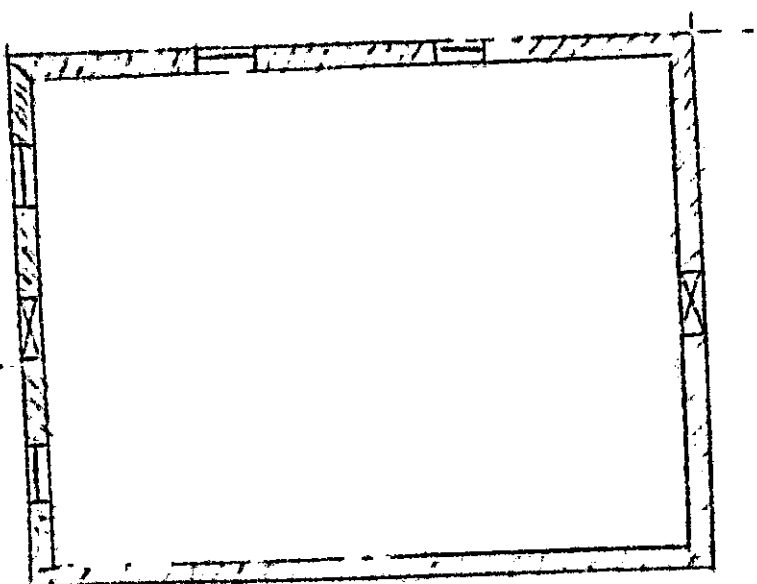
walls to be derisked and reinforced in the very low section

Doors each 3' x 6'

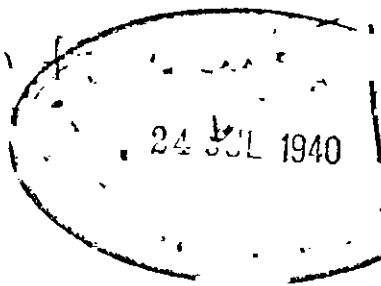
Windows 2' x 3'

Old existing wall which is not to be removed

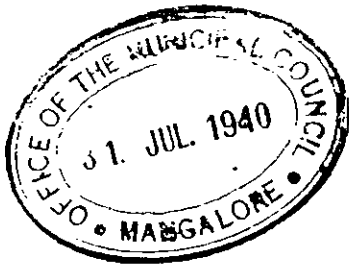
Height of the wall 14 feet



Municipal ROAD



Resubmitted to the Secretary to the
Government of Madras, through the Director of
Town Planning, Madras and the Chairman, Municipal
Council, Mangalore with the relevant site plans
in duplicate and all the connected records.



Municipal Office, I
Mangalore, 13-7-'40. I

Munay Markey
Commissioner, I.M.

o r w e r d e d :

33122

Dated:

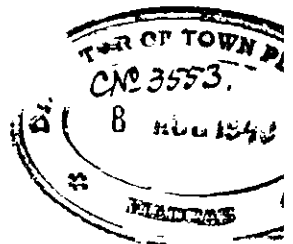
B. Venkataswami Sastry
Chairman, M.C.

25
DTP 2148/40 dated 12-8-40.

Forwarded.

In the ^{special} circumstances reported
by the Commr: the construction
may be exempted from the provisions
of rule 8 of the building rules.

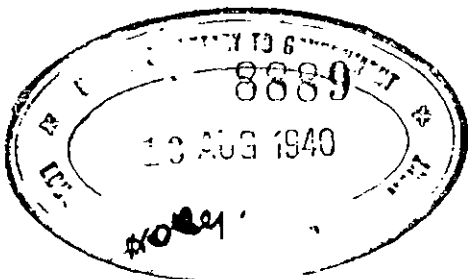
HDU/15-7-40.



E & P. H. Dept.

Enclt. No. 29837-1-F.P.H. of 27.7.40

Returned for resubmission
through the Director, Town Planning
(By order)



to
the Commissioner, Mangalore
municipality through the
C.M.C. Mangalore.

S.P.K. Aiyar
27.7.40

Under-Secretary.

by

10
28/11 ✓

Exempt (7) Dept

Go 25064 from the Council,

Mangalore only Repco Co

8948739 of 14640

29857

"

13740

End of the D.T.P. no 2148740 of

12840

Buildings - Rules -

pp

Mangalore only - Haroon

Basic Board Satar Sahit -

Exemption from rules

33122

Memo. no. 25064-1-F.P.H. of 268.

Returned to the

The D.T.P. ~~and~~ is requested to re-examine the case in the light of the new draft rules in Form 18540H, of 4540 and to submit a separate report to Ent.

(A)

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248d

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DRAFT FOR APPROVAL.

G.F. 18
F.
Comptroller & Accounts Officer

Date. Initials.

SUBJECT:—

When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.		

Building - Bunk - Mangalore
only - Haroon Haji Abdul
Satar Sait - Exemption from
rule 8 - Passed.

READ AGAIN .., dated .. 19 ..

" " .. " .. 19 ..

READ ALSO:—

No. 25064 From the Council Mangalore, dated 14.6.1940
" 29837 " " " 18948/37 " 137 1940
" " " D.T.P. " 2487 " 128 1940

Order Ms. No. 4431, dated 23.9.1940
Resolution-Rout.

Cf Bk no. 101

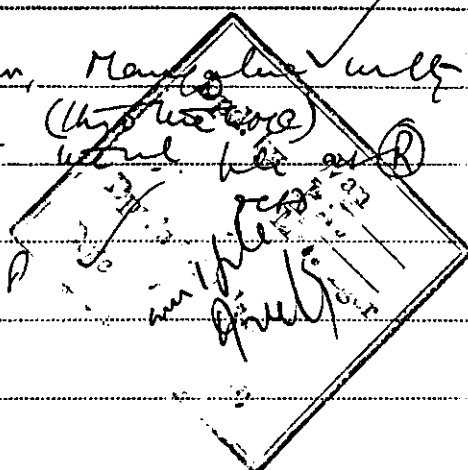
under rule 8

Under rule 108A of the
building rule issued with
G.O. 1621 Dt. 23.9.32 as
subsequently amended, the
the Honorary Member is
hereby pleased to exempt,
as a special case, the
building belonging to Haroon
Haji Abdul Satar Sait of
Mangalore only from the
operation of rule 8 of the
Building rule.

So

The Council, Mangalore only
(Under rule 8)
with effect from 1.10.40

The D.T.P.



1940

SRK
24.8.40

SRK
17.9.40

note No information is available as to the width of the abutting sheet and in the absence of this information it is not possible to say the position with reference to the new rule.

Cons 1854 14 (A)
4540

2. The D.T.P. recommends exemption and an order has accordingly been submitted

402
198
204

Obtain details

There was a general order to D.T.P. about this

SREY
21.8.40

Return papers for exam in the light of new draft rule

A draft order is submitted below for approval

402
248740

SREY
26.8.40

(Cons 83/227/40 - 1000 26.8.40) p 12 cf.

Cons 37047 from the D.T.P. no 2393/40 8940

p 4 cf

The order will be eligible for exemption under the new rule

note the D.T.P.'s remarks on page 4 cf.

p 4 cf

2. The draft on page 1 ante is unapproved

402
1306
1000

SREY
17.9.40

205